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Entered on Docket  
November 04, 2011

  
Hon. Linda B. Riegle  
United States Bankruptcy Judge

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LEWIS AND ROCA LLP  
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*Attorneys for USACM Liquidating Trust*

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UNITED STATES BANKRUPTCY COURT  
13 DISTRICT OF NEVADA

14 In re:

15 USA COMMERCIAL MORTGAGE  
16 COMPANY,

17 Debtor.

18  
Case No. BK-S-06-10725-LBR  
19 Chapter 11

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Order Sustaining Third Omnibus  
21 Objection Of USACM Trust To Proofs Of  
22 Claim Based In Part Upon Investment In  
23 The HFAH Asylum, LLC Loan

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Hearing Date: September 30, 2011  
25 Hearing Time: 9:30 a.m.

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The Court having considered the "Third Omnibus Objection Of USACM Trust To  
27 Proofs Of Claim Based In Whole or In Part Upon Investment in The HFAH Asylum, LLC  
28 Loan." ("HFAH Asylum, LLC Loan") [DE 8863] (the "Objection"); the Court having  
29 heard the Objection on September 30, 2011; appropriate notice of the Objection having  
30 been given; no response to the Objection having been filed; the Court noting on the record  
31 that the disallowance of the Claims listed on **Exhibit A** does not affect the direct lenders'

right to repayment by the borrower or from the collateral securing the HFAH Asylum, LLC Loan; and good cause appearing:

**IT IS ORDERED:**

1. The Objection [DE 8863] is sustained; and
  2. The claims listed on **Exhibit A** attached are 30% allowed and 70% denied to the extent those claims are based upon an investment in the HFAH Asylum, oan.

PREPARED AND RESPECTFULLY SUBMITTED BY:

LEWIS AND ROCA LLP

By /s/ John Hinderaker (AZ #018024)  
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## LOCAL RULE 9021 CERTIFICATION

In accordance with LR 9021, counsel submitting this document certifies that the order accurately reflects the court's ruling and that (check one):

This Court has waived the requirement set forth in LR 9021(b)(1).

xxx No party appeared at the hearing or filed an objection to the motion.

I have delivered a copy of this proposed order to all counsel who appeared at the hearing, and any unrepresented parties who appeared at the hearing, and each has approved or disapproved the order, or failed to respond, as indicated below [list each party and whether the party has approved, disapproved, or failed to respond to the document]:

**Counsel appearing:** \_\_\_\_\_

I certify that this is a case under Chapter 7 or 13, that I have served a copy of this order with the motion pursuant to LR 9014(g), and that no party has objected to the form or content of the order

U.S. Trustee: _____	
<input type="checkbox"/> approved the form of this order	<input type="checkbox"/> disapproved the form of this order
<input checked="" type="checkbox"/> waived the right to review the order and/or	<input type="checkbox"/> failed to respond to the document
Other Party: _____	
<input type="checkbox"/> approved the form of this order	<input type="checkbox"/> disapproved the form of this order
<input type="checkbox"/> waived the right to review the order and/or	<input type="checkbox"/> failed to respond to the document

Submitted by:  
LEWIS AND ROCA LLP

By: /s/ John Hinderaker. (AZ #018024)  
Attorneys for USACM Liquidating Trust

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**USACM Trust****HFAAH Asylum LLC Loan****Multiple Loan Claims**

Claim	Name	Address	Total Claim Amount	Approximate Amount Related to an Investment In the HFAAH Asylum LLC Loan	Amount Disallowed (70%)	Amount Allowed (30%)
10725-01208-2	Monighetti, Pete	6515 Frankie LN Prunedale, CA 93907 Po Box 10475 Zephyr Cove, NV 89448	1,509,963.55	50,000.00	35,000.00	15,000.00
10725-01878	Raggi, Dennis	Po Box 10475 Zephyr Cove, NV 89448	10,451.54	Unknown		
10725-01880	Raggi, Dennis	Po Box 10475 Zephyr Cove, NV 89448 Po Box 10475 Zephyr Cove, NV 89448	15,819.84	Unknown		
10725-02226	Raggi, Dennis	Po Box 10475 Zephyr Cove, NV 89448 Robert L Orgren Tee 3768 Rick Stratton Dr Las Vegas, NV 89120	4,884,068.70	100,000.00	70,000.00	30,000.00
10725-02000	Robert L Orgren Trust DTD 6/30/92	Richard & Jacquelin Small Ttees 4801 Calle Santa Cruze Prescott Valley, AZ 86314	1,827,483.14	100,000.00	70,000.00	30,000.00
10725-01955	Small Family Trust	542 Socorro CT Reno, NV 89511	703,134.00	50,000.00	35,000.00	15,000.00
10725-01960	Souza Jt Ten, David A & Elizabeth M	T Dwight & Bonnie J Sper Ttees 1005 Cypress Ridge LN Las Vegas, NV 89144-1425	1,031,654.42	250,000.00	175,000.00	75,000.00
10725-02191	TDS Revocable Family Trust DTD 9/29/98	1,778,674.00	100,000.00	70,000.00	30,000.00	
10725-02279	Winkler Family Trust DTD 3/13/86	Carmel & Rudolf Winkler Trustee 10000 Rossbury PL Los Angeles, CA 90064				
10725-02278	Winkler, Rudolf IRA	1,210,635.98 100,000.00	75,000.22	52,500.00	30,000.00	22,500.00

**EXHIBIT A**